

FILED

FEB 19 2019

1 Shikeb Saddozai- CDCR# AY1590-
2 California Correctional Institution
3 C1-243
4 P.O. Box 1905
5 Tehachapi, California, 93581
6 In Pro se

SUSAN Y. ...
CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SHIKEB SADDOZAI,

Case No. C-18-05558 BLF(PR)

11 Plaintiff,

DECLARATION IN SUPPORT OF

12 V.

PLAINTIFF'S MOTION FOR THE

13 N. Malikian, et al.,

APPOINTMENT OF COUNSEL

14 Defendants.

15
16 SHIKEB SADDOZAI states:

17
18 1. I am the plaintiff in the above entitled case. I make this
19 declaration in support of my motion for this appointment of
20 counsel.

21 2. The complaint in this case alleges the plaintiff was subjected
22 to deliberate indifference to serious medical needs by multiple
23 Correctional Officers. Medical condition disabled the Plaintiff
24 and interfered with daily activities, and in the existence of
25 chronic, and substantial pain. Each defendant at all times acted
26 "Under Color of State Law" some of whom in related case matters
27 actively beat plaintiff, and others of whom watched, and failed
28 to intervene. Plaintiff alleges that supervisory officials were
aware of violent propensities of some of the officers and are
liable for failing to take action to control them, who were
incharge of running facilities and provide medical services to
prisoners, carrying out the policy and practice that led to the
violation of the plaintiffs rights secured by the constitution
or laws of the United States. Plaintiffs verified complaints
filed, were ignored, and supervisory officers failed to react
while being aware of ongoing abuse and mistreatment by their

1 subordinate officers, nor attempts were made to remedy problem.

2
3 3. This is a complex case because it contains several different
4 legal claims, with each claim involving a different set of
5 defendants.

6
7 4. The case involves medical issues and or technical mental
8 health issues that may require expert testimony.

9
10 5. The plaintiff has demanded a jury trial , which requires much
11 greater legal skills than the plaintiff has or can develop.

12
13 6. The case will require discovery of documents and depositions
14 of a number of witnesses, and administration files plaintiff is not
15 allowed to have.

16
17 7. The testimony will be in sharp conflict, since the plaintiff
18 alleges he was subjected to a deliberate indifference to a serious
19 medical needs by Correctional Officers, at all times acted
20 under color of state law, some of whom actively beat plaintiff
21 in related case matters, and others of whom watched and failed to
22 intervene. There will be a genuine issue of material facts if
23 proved at trial, support a judgment in plaintiffs favor.

24
25 8. The plaintiff has only a high school education and no legal
26 education , making it beyond his ability to comprehend.

27
28 9. The plaintiff is serving a life sentence. For this reason, he
has extremely limited or no access to legal materials, and has no
ability to investigate the facts of the case , for example, by
locating and interviewing other inmates who have been transferred
or released where events occurred who were eyewitnesses to
plaintiffs beatings , denial of medical care, threats of violence
and retaliation by intentionally confiscating plaintiffs legal
materials and correspondence to obstruct plaintiffs access to the
courts and from initiating a civil suit.

10. As set for in the Memorandum of Law submitted with this
motion , these facts, along with the legal merit of plaintiff's
claims, support the appointment of counsel to represent the plain-
-tiff.

WHEREFORE, the plaintiff's motion for appointment of counsel
should be granted. Pursuant to 28 U.S.C. §1746, I declare under
penalty of perjury that the foregoing is true and correct.

Signed this 12 day of February , 2019

28 x *[Signature]*